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6 Attorneys for Defendant
7 TIME WARNER CABLE LLC

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 MIGUEL CALZADA,
12 Plaintiff,
13
14 v.
15 TIME WARNER CABLE LLC, a
Delaware Corporation,
16 Defendant.

No. CV 11-01701-DMG(JCGx)

DECLARATION OF HEATHER
KRASKA IN SUPPORT OF
DEFENDANT TIME WARNER CABLE
LLC'S OPPOSITION TO PLAINTIFF'S
MOTION FOR CLASS
CERTIFICATION

17 Date: January 6, 2011
18 Time: 2:00 p.m.
Crtrm: 7 (Hon. Dolly M. Gee)

DECLARATION OF HEATHER KRASKA

I, Heather Kraska, declare:

1. I am a Lead/Advisory Business Systems Analyst for CSG Systems, Inc. ("CSG") and have held this position for five years. CSG provides its clients software and services-based customer care and billing systems. Time Warner Cable ("TWC") has been a client of CSG, under the parties' current contract, since 2003. Among other services, CSG is responsible for the distribution of TWC's monthly billing statements.

2. As a Lead/Advisory Business Systems Analyst, I support TWC's West Region with all of its day to day business activities concerning its billing systems. Among other things, I am responsible for ensuring that statement messages are inserted into monthly billing statements at TWC's request.

3. In preparing this declaration, I have relied upon my personal knowledge and my review of CSG's business records, maintained under my supervision and control, including data, reports and records of acts, events, and transactions that are made in the regular course of CSG's business to prepare such data, reports and records at or near the time of the act, event or transaction.

4. Among the records I reviewed are Cable Processing Subscribers Daily 078 Reports, to which CSG refers as "Daily Production Reports." Daily Production Reports are generated from CSG's internal billing system, Communications Control System ("CCS"). CSG provides its clients, including TWC, access to CCS. Through CCS, clients can input the text of statement messages they want inserted into monthly billing statements and identify the systems/principals and agents (*i.e.*, areas of service) ("SPAs") they want to receive such statement messages. CCS then pulls this information and inserts the statement messages into the requested billing statements. Any time a client adds, changes, or deletes a statement message, CCS creates a Daily Production Report and sends it to the client. CSG's routine practice is to archive Daily Production Reports at its data warehouse.

1 5. I have reviewed the April 2010 Daily Production Reports for each of
2 TWC's four system/principals in California. These Daily Production Reports
3 confirm that CSG inserted a statements message into the April 2010 billing
4 statements for all SPAs in San Diego, Barstow, and the Desert Cities, and most
5 SPAs in the Greater Los Angeles Area. The April 2010 Daily Production Reports
6 show that the statement message for that month was:

7 You have a new Time Warner Cable subscriber agreement which
8 contains an arbitration clause and other important terms. You can review
9 the new agreement and, if you wish, opt out of the arbitration clause at
10 <http://help.twcable.com/html/policies.html>.

11 True and correct copies of the Daily Production Reports for TWC's four system/
12 principals in California are attached to the Appendix of Exhibits as **Exhibit A**.

13 I declare under penalty of perjury under the laws of the United States of
14 America that the foregoing is true and correct. Executed on December 8, 2011, at
15 Omaha, Nebraska.

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19 Heather Kraska
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